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REMARKS

Claims 1-9 and 11-20 and 22 are all the claims pending in the application. Applicant thanks the Examiner for allowing claims 15-20. Applicant is amending claims 1-7 and 14.

I. Rejection of Claims 1-9, 11-14 and 22 under 35 U.S.C. § 103(a) - Peterson and Shimizu

The Examiner has rejected claims 1-9, 11-14 and 22 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,052,512 (hereinafter Peterson), in view of U.S. Patent No. 6,002,915 (hereinafter Shimizu). Applicant traverses this rejection.

Claim 1

A. Automatic Creation and Monitoring (of A Progress Plan)

Applicant submits that Peterson and Shimizu fail to teach or suggest the automatic aspects of the computer creating a progress plan and monitoring. The Examiner directs Applicant to column 12, lines 12-38 of Peterson.

i. Automatic Creation

Peterson discloses that the supervisor client computer system 104 includes a student data fetcher 220 which retrieves from a global student database 210 records for one or more students specified by the supervisor using graphical user interface techniques. (Column 11, lines 55-60 of Peterson).

Peterson discloses analysis tools 222 (graphical user interface technique) that can display various types of reports for the supervisor. (Column 12, lines 8-9 of Peterson). Such types include schedule reports, summary reports, history reports, assessment results reports, word game summary reports and sound game-summary reports. (Column 12, lines 9-12 of Peterson).

Analysis tools 222 provide the supervisor with a user interface by which the supervisor can request information regarding the progress of one or more specific students and can request that the information be processed and represented in a form in which the supervisor can properly analyze the progress of the specified students. (Column 11, line 63 through Column 12, line 1 of Peterson). More particularly, Peterson discloses that the supervisor specifies a range of dates using graphical user interface techniques. (Column 12, lines 16-17 of Peterson). Analysis tools 222 represent in report form the dates and duration of sessions by the specified student during the specified range of dates. (Column 12, lines 18-20 of Peterson).

Given the above, Applicant submits the Examiner has misapplied the disclosure of Peterson. Indisputably, the supervisor client computer system 104 simply maintains a repository of data, whereby the supervisor can access it via analysis tools 222. There is nothing automatic in creating the various types of reports in Peterson. Shimizu also fails to disclose or suggest creating a progress plan automatically. For at least these reasons, this rejection should be withdrawn as it relates to claim 1.

While the Examiner stated on page 4 of the final Office action, in the Response to Arguments section, that “[e]ven if the instructor is the one responsible for the creative element in performing various steps, if he or she is performing these steps with the use of a computer, that reads on claim 1. Applicant has amended claim 1 to read in part:

wherein, in response to said defined first time units and defined second time units, the computer automatically:

Applicant respectfully requests that the Examiner reconsider and withdraw this rejection.

ii. *Automatic Monitoring*

Peterson discloses a human supervisor using supervisor client computer system 104 who can monitor interaction between various students and student client computer systems 102A-C regardless of geographical distances between the supervisor and the students. (Column 11, lines 41-45 of Peterson). The analysis tools 222 of Peterson allow the supervisor to review and

analyze a student's progress and tailor a prescribed schedule in order to maximize future progress of the student. (Column 11, line 55 through column 12, line 7 of Peterson). Based on the above, Applicant submits that Peterson fails to disclose or suggest a computer-assisted teaching system that automatically monitors whether a training unit has been completed by the time specified in the progress plan, as recited in claim 1.

Peterson does disclose that the computer-assisted teaching system 100 includes a student client computer system 102A which provides a human student with stimuli and records the student's response in student response database 204. (Column 3, lines 40-54 of Peterson). Further, the teaching process 202 is adaptive. (Column 9, line 60 of Peterson). If the student achieves a predetermined level of proficiency in responding to stimuli, then the teaching process increases the level. (Column 9, lines 60-67 of Peterson). However, nowhere in Peterson is it disclosed or suggested that a computer-assisted teaching system automatically monitors as to whether the corresponding training unit has been completed by the time specified in the progress plan, as recited in claim 1. As stated above, the computer system of Peterson merely collects data. The reports generated by the supervisor do not specify time periods to which a training unit is to be completed. Rather, as stated above, the supervisor selects a window of time whereby the collected data is displayed in the form of the designated report type.

While the schedule reports probably do contain time periods to which a student is to complete a game or training course, Peterson fails to disclose or suggest that the student client computer system 102A which provides a human student with stimuli and records the student's response refers to such schedule data. Rather, as stated above, the student client computer system is adaptive to the student's response. Specifically, Peterson fails to disclose or suggest that the student client computer system automatically monitors as to whether the student has completed a training unit in accordance with the data (time periods) relating to a schedule report.

Shimizu also fails to disclose or suggest that the computer automatically monitors whether a training unit has been completed. Indeed, the grounds of rejection do not assert

otherwise. For at least these reasons, Applicant submits that the Examiner should withdraw this rejection as it relates to claim 1.

B. First Time Units

The recitation of Claim 1 requires:

defining first time units which represent the time periods which a trainee specifies to spend on the training course

Applicant submits that Peterson and Shimizu, alone or in combination, fail to disclose or suggest the above feature of Applicant's invention. The Examiner directs Applicant to Shimizu at column 4, lines 2-47.

i. Shimizu

Shimizu discloses a trainee system whereby the trainee can book or reserve a lecture using keyword such as date and hour, curriculum and/or teacher. (Column 4, lines 2-4 of Shimizu). When a trainee books a lecture by inputting a data and hour as a key words through his/her TL system 300 for trainee, the trainee is provided with the profile pages of available teachers assigned to the date and hour. (Column 4, lines 17-20 of Shimizu).

Applicant notes that the Examiner stated on page 4 of the final Office action, in the Response to Arguments section, that since the list of available lectures of Shimizu is contained within computer programs, the computer has defined first training units. However, these time periods represent the time periods the teacher has offered to teach a particular course. (Column 3, lines 15-20 and Figure 4 of Shimizu).

In contradistinction, claim 1 requires that the first time units represent the time periods which a trainee specifies to spend on the training course. Clearly, the computer system of Shimizu has not defined these time periods as time periods which a trainee specifies to spend on the training course, even assuming the broadest interpretation of Shimizu. Applicant submits

that the Examiner has overlooked the plain language of this limitation. For at least these reasons, Shimizu fails to disclose or suggest the above-mentioned limitation.

ii. Peterson

The Examiner has acknowledged that Peterson is deficient in disclosing or suggesting the above-mentioned limitation. (Page 2 of the final Office action). However, the Examiner stated on page 4 of the final Office action, in the Response to Arguments section, that since the prescribed schedule of Peterson is contained within computer programs, the computer has defined first training units. Moreover, in the Response to Arguments section, the Examiner states that the prescribed schedule comprises second time units.

Similar to Shimizu, Peterson also fails to disclose or suggest that the prescribed schedule represents time periods which a trainee would like to spend on the training course. Nowhere in the specification does Peterson disclose such a time period. Additionally, the Examiner has failed to direct the Applicant to a portion of Peterson's specification that discloses or suggests this limitation. It is clear that the Examiner has extrapolated beyond what is reasonable based on the content of Peterson's disclosure. While the prescribed schedule may relate to second time units (time periods required to execute training units of the training course), the prescribed schedule does not relate to first time units. More particularly, the computer-assisted teaching system 100 of Peterson does not define these time periods as time periods which a trainee specifies to spend on the training course, even assuming the broadest interpretation of Peterson. For at least these reasons, the Examiner should withdraw this rejection as it relates to claim 1.

C. Progress Plan

Since Peterson and Shimizu, individually or in combination, fail to disclose or suggest "first time units," then Peterson and Shimizu fail to disclose or suggest creating a "progress plan" dependent upon the "first time units." For at these reasons, Applicant submits the rejection to claim 1 should be withdrawn.

Applicant submits that claims 2-9, 11-13 are patentable at least by virtue of their dependency on claim 1.

For the reasons presented above in conjunction with claim 1, Applicant submits claim 14 is patentable over Peterson and Shimizu. Claim 22 is patentable at least by virtue of its dependency on claim 14.

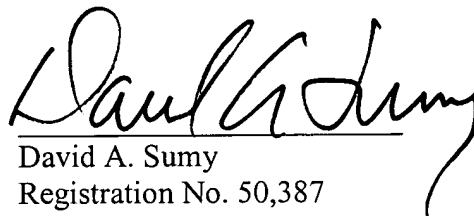
II. Conclusion

Since the Amendment due date of May 12, 2003, fell on a Saturday, Sunday or Holiday, the filing of this Amendment on Monday, May 13, 2002, is considered to be timely filed without the need for a petition or payment for an extension of time.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,


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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

1. (Amended) A process for the automatic creation and monitoring of a progress plan for a training course including at least one training unit by a computer, comprising:

- ~~defining, by the computer,~~ first time units that represent time periods which a trainee specifies to spend on a training course;
- ~~defining, by the computer,~~ second time units that represent time periods required to execute training units of the training course;

wherein, in response to said defined first time units and defined second time units, the computer automatically:

- ~~creating~~creates a progress plan, ~~by the computer,~~ for the execution of the training course in dependence upon the first time units and the second time units, wherein for each training unit the progress plan specifies a time by which the trainee is to have completed the corresponding training unit; and

- ~~monitoring,~~monitors ~~by the computer,~~ as to whether the corresponding training unit has been completed by the time specified in the progress plan.

2. (Amended) A process for the automatic creation and monitoring of a progress plan for a training course according to Claim 1, ~~further comprising~~ wherein the computer automatically notifying~~notifies~~ the trainee when the corresponding training unit has not been completed by the time specified in the progress plan.

3. (Twice Amended) A process for the automatic creation and monitoring of a progress plan for a training course according to Claim 1, ~~further comprising~~ wherein the computer automatically storingstores a monitoring result.

4. (Twice Amended) A process for the automatic creation and monitoring of a progress plan for a training course according to Claim 1, ~~further comprising~~ wherein the computer automatically recreatingrecreates the progress plan when the training unit has not been completed by the time specified in the progress plan.

5. (Amended) A process for the automatic creation and monitoring of a progress plan for a training course according to Claim 4, ~~further comprising~~ wherein the computer automatically terminatingterminates the training course when, more than once, the corresponding training unit has not been completed by the time specified in the progress plan.

6. (Amended) A process for the automatic creation and monitoring of a progress plan for a training course according to Claim 5, ~~further comprising~~ wherein the computer automatically notifyingnotifies the trainee of the termination of the training course.

7. (Twice Amended) A process for the automatic creation and monitoring of a progress plan for a training course according to Claim 1, ~~further comprising~~ wherein the computer automatically sendingsends the progress plan to the trainee after its creation.

14. (Thrice Amended) A program product for enabling a computer to perform the automatic creation and monitoring of a progress plan for a training course comprising: a

computer readable medium, and instructions on said computer readable medium for executing the following steps:

- defining first time units that represent time periods which a trainee specifies to spend on a training course;
- defining second time units that represent time periods required to execute training units of the training course;

wherein, in response to said defined first time units and defined second time units, the computer automatically:

- ~~creating~~creates a progress plan for the execution of the training course in dependence upon the first time units and the second time units, wherein for each training unit the progress plan specifies a time by which the trainee is to have completed the corresponding training unit;
- and

- ~~monitoring~~monitors as to whether the corresponding training unit has been completed by the time specified in the progress plan.